

Post-1834 Poor Law

Dan Poffenberger, AG®

Senior British and Irish Research Specialist
Family History Library
27 April 2022

Background

From the 1500's, the parish was responsible for caring for its poor. Overseers of the poor had the unpaid and unenviable job of collecting poor rates and distributing this "tax" to the poor residents of the parish. As a result, it became important to the overseers to determine parish of residence before allocating this money. This resulted in additional records created by the overseers that will have been discussed in a class relating to pre-1834 poor law records, most often found in the parish chest.

In 1832, the British government established a Royal Commission of Inquiry to review poor laws. This was done because of the increase costs of caring for the poor at the parish level. Initially, it was believed that the end of the Napoleonic Wars in 1815 would result in a return of workers to the workforce who would be able to pay for the increasing poor rate. However, it took time for the economy to improve.

One other attempt to remediate the situation was to pass two Select Vestries laws in 1818 and 1819. This allowed for voting of vestry members based on wealth within the parish. As a result, receiving relief was often more restrictive and the rates often went down. The 1819 Act allowed for the payment for an assistant overseer. By 1832, over 3,300 parishes had adopted Select Vestries, however, the Commission's report concluded that there were over 14,000 different jurisdictions responsible for caring for the poor.

The Royal Commission's Report and Poor Law Act

The Commission's report was published in March 1834. It made the following points and recommendations:

- The primary cause of poverty was idleness and indolence, rather than unemployment
- Under the old poor law, paupers were able to claim poor relief regardless of physical ability
- Poor marriages and immorality had increased as a means of obtaining poor relief
- Clearer distinction between the able-bodied and infirm was needed
- Poor Law Unions would be created to administer a new poor law with locally appointed boards under the direction of a central (or national) authority

- The workhouse would be at the heart of the system
- Workhouse would have stricter requirements for admission, living conditions would be inferior so as to act as a deterrent
- All relief to the able-bodied and their families was to be abolished
- One alternative to the workhouse was emigration. Boards of Guardians could provide aid to poor families for emigration to the colonies. Between 1836 and 1846, over 14,000 families emigrated to colonies such as Australia and Canada.
- The *Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales* was passed
- Two subsequent amendments to the Amendment were passed:
 - Outdoor Relief Prohibitory Order (1844) which prohibited outdoor relief in 1844 though this was not strictly adhered to primarily because of public outcry
 - Outdoor Labour Test Order (1852) applied to able-bodied males meant that, in order to receive outdoor relief, work of the most unpleasant and monotonous kind was required

Poor Law Unions

It took time for poor law unions to be created. Assistant commissioners went to various parts of the country to encourage the creation of poor law unions and local Boards of Guardians. In some areas, based on the Act of 1782 so called Gilbert Unions already existed and run by local poor law committees. These unions appear to have essentially stayed intact. Another issue was the cost of building a workhouse if one didn't already exist in the area. A majority of the local Board of Guardians had to agree to build one. For a list of the Poor Law Unions, go to www.workhouses.org.uk, click on "Workhouse Locations" on the left, then select "English Poor Law Unions" or "Wales Poor Law Unions" to see lists by county. Also, www.familysearch.org/mapp and select Poor Law Unions in the drop-down menu at the top for maps of the unions as of 1851.

The industrial North of England took the changes especially hard. Cyclical employment meant that even those who wanted to work might need to enter the workhouse to receive temporary assistance. This was much objected to as the living conditions were so poor. This will be discussed more in a separate class on workhouses, but one other aspect of the poor living conditions was that families were often separated into men's, women's, and children's areas.

Additional Changes through the Years

- The national Poor Law Commission was replaced in 1847 by a Poor Law Board which included a Committee of Parliament with a cabinet minister at the head
- The *Union Chargeability Act* was passed in 1865 to spread the burden of caring for the poor across the whole union rather than individual parishes
- The national Poor Law Board was placed with a Local Government Board in 1871
- County Councils were formed in 1888 and District Councils in 1894 so that things such as public housing was now handled outside of the poor law
- Reforms from 1906-1914 added Old Age Pensions and National Insurance, further reducing the need for the "new" poor law

- The Board of Guardians continued to be responsible for the poor, including health and income maintenance, until 1930. The change was related to a change in attitude regarding the causes of poverty and society's responsibility to protect its more vulnerable members
- Workhouses, Poor Law Unions and Boards of Guardians were abolished by the Local Government Act 1929. Responsibility for the poor was transferred to county councils and county boroughs. This took time and were finally eliminated by 1848

Post-1834 Poor Law Records

The "owners" or creators of these records are the Boards of Guardians. A FamilySearch catalog search for the author or keywords "Poor Law Union", "Board of Guardians" and the name of the county will find the records held by FamilySearch. Similar keyword searches work at Ancestry and FindMyPast. For those not available at the "Big 3", check county archives catalogs and the Discovery Catalog at the www.nationalarchives.gov.uk.

The kinds of records include:

- Apprentice Registers
- Births and Deaths
- Board of Guardian Meeting Minutes
- Non-resident Poor Relief
- Orders of Removal and Adjudication
- Register of Lunatics
- Religious Creed Registers
- Relief Order Books
- Workhouse Admission and Discharge Registers

Further Reading

Brundage, Anthony. *The English Poor Laws, 1700-1930*. (Basingstoke, England: Palgrave, c2002). FHL Book# 942 P3b

Raymond, Stuart A. *Tracing your Poor Ancestors: a guide for family historians*. (Yorkshire, England: Pen & Sword Family History, 2020). FHL Book# 942 D27rpo

Burlison, Robert. *Tracing Your Pauper Ancestors*. Yorkshire, England: Pen & Sword Family History, 2009). FHL Book# 942 D27bro